

## Appendix A - Guides to Canadian and Mexican Secondary School Systems

### Canada

Each province in Canada is responsible for the establishment and regulation of its own school system. Thus, secondary-level school systems vary among provinces with some schools offering 13-year training and some less. Although Canadian high schools are considered educational institutions, attendance beyond the 12th grade level (13th grade-college prep) is considered to be postsecondary-level FTA.

### Mexico

The RRB field office nearest the Mexican school develops the forms and proofs required for the students. These RRB field offices should work with the Federal Benefits Unit in the American Consulate General office nearest the school to develop information concerning Mexican schools as EIs.

- A. Mexican Secondary Schools.- The secondary school system in Mexico is divided into two levels of training. The Basic Cycle (media basica) lasts three years. This can be considered to be secondary-level education.

It is followed by the Upper Cycle which also lasts three years. The part of the Upper Cycle that may be secondary-level education is called the preparatory school (preparatoria). It leads to the bachillerto diploma. There are two types of preparatory schools: general and technical.

- B. Mexican Technical Schools.- Mexico's Secretariat of Public Education (SEP) issues a catalog entitled "escuelas y Carreras de Educacion Tecnologica" (schools and careers in Technical Education) which lists, by Mexican State, the technical schools which it has approved. Those which provide secondary-level education are shown under the heading "media superior." A copy of this catalog can be reference by the American Consulate General office nearest the school. Request a photocopy of the listing for the school which the student is attending.

Generally, it can be assumed that a Mexican technical school is a secondary-level school if it is a "secundaria" or it is approved by SEP and listed in the SEP catalog as being on the "media superior" level (i.e. Nivel Media Superior" is shown in the heading for the column showing the school's name). The school seal or other information must show the school to be approved by the SEP. The school provides a bachillerato degree.

Technical schools at the secondary-level currently have names such as: Centro de Bachillerato Tecnologicos, Centro de Estudios Tecnologicos, Colegio Nacional de Educacion Profesional Tecnica.

Schools which do not appear to operate on any special level (such as secretarial, language, beauty schools, etc.) can qualify as EIs if they are authorized or approved by SEP to provide "media superior" education.

However, the "Capacitacion" (vocational) schools offer short courses for skills needed by industry and services. Admission does not require completion of a specified education level. Since they are not operated as part of the primary-level or secondary-level education system, a student at one of these schools is not considered to be attending an EI. Generally, these schools are called "Centro de Capacitacion para el Trabajo ..."

Some Upper Cycle technical schools (then known as Instituto Tecnologicos Regional - now Instituto Tecnologicos de ...) provided both secondary-level and postsecondary-level education. This system is now being changed to remove preparatory (secondary-level) schools from these institutions and make them independent schools.

1. Creditable Mexican "Instituto Tecnologico" EIs.- The following table lists the Mexican Instituto Tecnologicos which still provide **creditable** preparatory (secondary-level) education.

Instituto Tecnologico of	Preparatory (Secondary-Level) Education Still Provided. Ending Date Not Yet Established.
Matamoros, Tamps.	Yes
Morelia, Mich.	Yes
Nuevo Laredo, Tamps.	Yes
Saltillo, Coah.	Yes
Tapachula, Chis.	Yes
Tehuacan, Pue.	Yes
Tepic, Nay.	Yes
Tialnepantla, Mex.	Yes
Tuxtla Gutierrez, Chis.	Yes

2. Non-Creditable Technical Institutions Because of Attendance Requirement.- The following table lists the Technical Institutions who provide preparatory courses for non-matriculating students in an open

(arbierto) program. Enrollment in these does not qualify as FTA because no classroom attendance or minimum hours of attendance are required.

<b>Instituto Tecnologico of</b>	<b>Minimum Attendance Requirement for Secondary-Level Education?</b>
Acapulco, Gro.	No
Ciudad Madero, Tampa.	No
Istmo, Juchitan, Oax.	No
Oaxaca, Oax.	No
Orizaba, V.C.	No
Toluca, Mex.	No
Zacatepec, Mor.	No

3. No Longer Provide Secondary Education.- The following table lists the Technical Institutions which provided preparatory (secondary-level) education up to the date shown. The secondary-level education stopped as of the date shown.

<b>Instituto Tecnologico of</b>	<b>Preparatory (Secondary-Level) Education Provided in the Months Prior to:</b>
Aguascalientes, AC	12/1986
Apizaco, Tlax	12/1984
Celaya, Gto.	12/1988
Chetumal, Q.R.	9/1986
Chihuahua, Chih.	2/1979
Ciudad Guzman, Jal.	1/1988
Ciudad Juarez, Chih.	1/1980
Culiacan, Sin.	7/1986

Hermosillo, Son.	7/1986
La Laguna, Torreon, Coah.	7/1987
La Paz, B.C.	7/1989
Leon, Gto.	12/1988
Matamoros, Tamps.	2/1989
Minatitlan, V.C.	9/1984
Nogales, Son.	7/1988
Pachuca, Hgo.	9/1985
Parral, Chih.	7/1988
Puebla, Pue.	9/1984
Queretaro, Qro.	9/1982
Tijuana, B.C.	1/1981
Veracruz, V.C.	9/1984
Villahermosa, Tab.	9/1982

C. Mexican Normal Schools.- Mexican Normal Schools which train preschool and elementary teachers can be considered secondary-level schools only for FTA prior to March 23, 1984. Prior to April 1984, training for preschool and elementary teachers was done in the normal schools (i.e. escuela normals) operated in the upper cycle of secondary-level education. However, a Presidential Decree of March 22, 1984, made these schools part of the postsecondary-level education.

## **Appendix B - Guides To Foreign Secondary School Systems**

Refer to SSA POMS RS 0205.895

## **Appendix C - Pre-1981 Amendment Full-Time Student Provisions**

### **I. General**

The following appendix describes some of the full-time student provisions as they were prior to August 1982. Only those provisions are included in this section.

## II. Definitions

- A. Full-Time Student - A full-time student was an unmarried dependent, age 18-22 child who was in full-time attendance at an educational institution (EI).
1. Definition of FTA - A child could have met the definition of FTA for some months in and after the month in which age 22 was attained if (s)he:
    - Had not completed the requirements for, or received a degree from a 4-year college or university; and
    - Was in actual full-time attendance at an EI in a quarter, semester, or course of study that began in or before the month (s)he had attained age 22.
  2. Attainment of Age 22 - If a student met the requirements in section (1) above, he or she was deemed to have attained age 22 (for termination purposes) on:
    - The first day of the month following the month in which the quarter or semester, in which the student was enrolled, ended; or
    - If the school in which the student was enrolled did not operate on a quarter or semester system, the earlier of
      - the first day of the month following completion of the course, or
      - the first day of the third month following the month in which age 22 was attained.
- B. Educational Institution - An EI was a school, junior college, college, university, trade or technical school:
1. Which was operated or directly supported by the U.S., or by any State or local government or political subdivision; or
  2. Which had been approved by a State, or accredited by a State-recognized or nationally-recognized accrediting agency; or
  3. Whose credits are accepted, or transferred, by not less than three institutions which have been accredited by a State-recognized or nationally-recognized accrediting agency, on the same basis as if transferred from an institution so accredited. If the school had qualified as an EI solely in accordance with this provision, the district office would have had to secure verification of the acceptance of credits by 3 specifically mentioned schools.

Also, included as EI's were nonpublic schools that were directly supported by the U. S.; any State, local government or political subdivision thereof.

### **III. Determining Whether A School Was An EI.**

- A. Institutions of Higher Education - A list was published annually by the Office of Education furnishing the institutions of higher education:
1. That were accredited by a nationally-recognized accrediting body; or
  2. Whose credits were accepted on transfer by at least 3 accredited institutions,

Any school on this list was accepted as an EI.

- B. Technical, Trade or Vocational, or Other Schools Not Covered Above - The RRB field office determined if the school was an EI except in the case of foreign schools. Therefore, the RRB field office indication that the school had been approved by the State was accepted.

### **IV. Foreign Schools**

Although the criteria for determining whether or not a school was an educational institution and whether a student was in full-time attendance was the same for foreign students as for domestic students, with the exception of Italian university students, foreign schools actually met the definition of an EI only under the requirement which refers to transfer of credits, i.e., credits had been accepted by at least 3 accredited U. S. schools to which students had transferred.

- A. Secondary Schools - All foreign SECONDARY schools were considered EI's. The foreign school was considered a secondary school if:
- 1). The school was in the usual line of academic progression between the primary and college or university levels and its curricula include the usual academic subjects; or
  - 2). Its curricula included only vocational or technical courses but the school was operated as an integral part of the secondary school system of the country.
- B. Other Schools - If a foreign school was not established as a secondary school, was not listed in RCM 2.4, Appendix B as an EI, and no previous EI determination had been made for the "EI" or "NOT EI" files in the Director of Claims Operations Office, it was determined whether the transfer of credits requirement was met (i.e., credits had been accepted by at least 3 U. S. schools to which students had transferred.)

NOTE: If the school did not qualify as an EI on its own merits, but was an integral part of or was affiliated with another school that was considered an EI, the school in question was considered an EI if that relationship could have been established.

## **Appendix D - Effect of the 1981 Amendments on Student Benefits**

### **I. General**

The Omnibus Reconciliation Act of 1981 made significant changes in the eligibility and entitlement requirements for student beneficiaries under the Social Security Act (SS Act). The intent of this change was to limit the amount of benefits paid to students. Before the SS Act was amended in 1981, student benefits could have been paid when a child was age 18 through 21 and a full-time student at either a secondary or post-secondary school. The amendments contained provisions to phase-out benefits for then currently entitled students over a 3 year period. The amendments phased out benefits paid to all students age 19 through 21 and phased out benefits paid to students who were full-time students at post-secondary schools.

All students were classified as either a phase-out or a non phase-out student. Students age 18 through 21 who were in full-time attendance at a post-secondary school before May 1982 and who were entitled to a child's benefit for August 1981 could continue to receive benefits as a phase-out student. The phase-out was completed in April 1985.

Since the tier I computations of a student's annuity is based on the SS Act, students paid under the Railroad Retirement Act (RRA) were also affected. However, the amendments to the SS Act affected the payment of the tier I only. Since the RRA was not amended until September 1983, the tier II payment continued to be paid under the rules in effect prior to August 1982. A student, who was entitled to benefits in April or August 1983, continued to be entitled to the tier II benefits until attaining age 22. If the student was entitled to a 1974 Act tier II, the tier II would be reduced to zero at age 19. A student entitled to a 1981 amendment tier II would continue to receive payment of the tier II under the provisions in effect prior to August 1982 until attaining age 22 or graduating from a post-secondary school.

The 1983 amendments to the RRA changed the entitlement requirements for the tier II to those of the tier I.

A non phase-out student was any student who could not meet the requirements for a phase-out student. Students who were first entitled to child's benefits after August 1981 (or, if entitled to child's benefits in August 1981, were not in full-time attendance at a post-secondary school before May 1982) were considered non phase-out students. They could receive student benefits while age 18 through 21 based on full-time attendance at a post secondary school, but only for months through July 1982.

## II. Phase-Out Student Defined

A phase-out student was a student enrolled at a post-secondary school before May 1982 and entitled to benefits in August 1981. A phase-out student must have met the following requirements:

- A. Must have been an unmarried child of a railroad employee between the ages of 18 and 22;
- B. Must not have been disabled;
- C. Must have been in full-time attendance (FTA) at an educational institution (EI);
- D. Must have been entitled to a child's insurance benefit (included in the retirement O/M or paid a survivor benefit as either a minor child, disabled child or student) in August 1981; and
- E. Must have been in FTA at a post-secondary school for any month prior to May 1982.

NOTE: Between the ages of 18 and 22, it did not matter whether a phase-out student was attending a post-secondary EI as a graduate or undergraduate student.

## III. Payment Of Benefits To Phase-Out Students

If a phase-out student lost eligibility for student benefits before August 1985, that student could not become re-entitled as a student.

- A. Non-Payment Months. No benefit was payable to a phase-out student for the months of May, June, July and August, beginning in 1982, even if the student was in FTA at summer school.
- B. Reduced Payment Months
  1. September 1982 through April 1983. - Benefits payable to a phase-out student were the lesser of:
    - The amount of the student's original benefit (75% of the PIA for a survivor student, 50% of the PIA for a retirement student) in effect for August 1981 reduced by 25%, or
    - The student's share of the family maximum.
  2. September 1983 through April 1984. - Benefits payable to a phase-out student were the lesser of:
    - The amount of the student's original benefit in effect for August 1981 reduced by 50%; or

- The student's share of the family maximum.
3. September 1984 through April 1985. - Benefits payable to a phase-out student were the lesser of:
- The amount of the student's original benefit in effect for August 1981 reduced by 75%; or
  - The student's share of the family maximum.
- C. Termination. All phase-out students were terminated by August 1985. April 1985, however, was the last month for which benefits could actually be paid to phase-out students. Survivor students were terminated mechanically and were sent a termination letter in May 1985. Field offices were also sent a copy of the termination notice.
- D. Redistribution of Family Benefits. When a student's share of the family maximum or O/M was not payable or was reduced because of the 1981 SS Act Amendments, the portion not payable to the student was redistributed among other family members to provide additional benefits, up to each beneficiaries statutory maximum.

Field offices were furnished with a microfiche of the 1982, 1983 and 1984 adjustments. See FOM-I-1615 for a description of the microfiche. The 6-1-85 operation was documented with file copies of the termination letters. Effective 6-1-85 redistribution of family benefits was done manually in both retirement and survivor cases.

#### **IV. Continuing Entitlement**

When a phase-out student who was previously paid a Child's Annuity or included in the O/M computation of the employee's annuity as an FTS resumed FTA, benefits could have been reinstated effective with the same date on which they were previously suspended.

Example: A student ceased full-time attendance on May 15 and his annuity was suspended effective June 1 because he did not intend to resume FTA. He resumed FTA on September 6. His entitlement went back to June 1. As a phase-out student, however, he could not be paid for May through August.

#### **V. Re-entitlement**

A phase-out student, whose Child's Annuity or inclusion as an IPI in the O/M was terminated after August 1982, could not become re-entitled.

A phase-out student, whose inclusion as an IPI in the O/M was terminated before September 1982, could have become re-entitled before June 1985 if he:

- was under age 22 (actual or deemed),
- was a full-time student, and
- had not married since he was last entitled, or if he had married, the marriage was void or annulled.

Example 1: A student who was included as an IPI in the O/M in August 1981 was in actual FTA through May 1982, and during the spring 1982 policing indicated he would be resuming FTA in September 1982. In September 1982, the student changed his intent to resume FTA and his entitlement terminated after September 1982. Although the student resumed actual FTA in January 1983, he cannot become re-entitled.

Example 2: A child who was included as an IPI in the O/M in August 1981 ceased FTA at a post-secondary EI in April 1982. He resumed FTA in October 1983. He could become re-entitled because the termination event took place prior to September 1982.

If this child ceased FTA after August 1982, he cannot again be re-entitled because the controlling event was the termination happening after August 1982.

## **Appendix E - History Of Student Adjustments**

A student's annuity under the Railroad Retirement Act consists of a tier I amount, which is computed under the social security formula, and a tier II amount, which is computed under the railroad retirement formula. Benefits to new students were paid to a more narrowly defined category of individuals. Since no conforming amendments were made to the Railroad Retirement Act until August 1983, entitlement provisions for a student annuity remained unchanged, however, the annuity amount payable was changed. This appendix will provide a brief description of the actions taken to implement the new procedures.

All students were classified into one of two categories; phase-out or non phase-out. Since phase-out and non phase-out students were treated differently as far as entitlement, termination events and annuity computations, the first step in determining how a student's annuity was affected by the 1981 amendments was to classify the students already on the rolls as either a phase-out or a non phase-out student.

As part of the March 1982 monitoring of students, the field offices made designation determinations of all students for which they had active files and who had filed an AA-19s before March 1, 1982. Determinations for students who had filed an application on or after March 1, 1982 were made by claims examiners. A special letter was sent by the field offices advising students of their classification and the changes in payment of their annuity.

In May 1982, there was a mechanical job to suspend the annuities of phase-out students. Those annuities were reinstated by a September 1982 job. The September mechanical job was done in two parts, Part I reinstated the student's annuity and Part II

readjusted the annuities of family group members and paid-out any accrual due because the student was not paid. In May 1983 and 1984 a mechanical job was run to suspend all phase-out students and adjust family group members. In May 1985 a mechanical program terminated all remaining phase-out students. Family groups' annuity rates were manually adjusted. The annuities were reinstated in a September 1983 and 1984 job.

Non phase-out students were divided into four categories; KS (1974 Tier II, Tier I terminates before or on 8/82), TS (9/74 Tier II, Tier I may remain payable after 8/82), NS (1981 Tier II, Tier I may remain payable after 8/82), PS (1981 Tier II, Tier I terminates before or in 8/82). In August 1982, a mechanical program was run to terminate the annuities of non phase-out students having beneficiary symbol KS; and suspend the annuities of non phase-out students having beneficiary symbol PS. The tier II for "PS" type students was reinstated manually in the modular units.

The 1983 Railroad Retirement Amendments conformed student benefits under the Railroad Retirement Act to the Social Security Act. A new category of student, LS, (1981 tier II who attained age 18 or was first entitled in September 1983 or later) was created.

## **Appendix F – Student Legislative History**

The Retirement O/M Student Legislative History is in RCM 1.5, Appendix B

The Survivor Student Annuity Legislative History is in RCM 2.4, Appendix A

